

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHROMAR SYSTEMS INC, et al.,  
Plaintiffs,  
v.  
CISCO SYSTEMS INC, et al.,  
Defendants.

Case No. [13-cv-01300-JSW](#) (MEJ)

**DISCOVERY ORDER**

Re: Dkt. No. 199

On August 12, 2014, the parties filed a joint discovery dispute letter regarding whether ChriMar has properly claimed attorney-client privilege over an e-mail sent by John Austermann, a named inventor of the patent-in-suit, to himself. Dkt. No. 199. ChriMar has submitted the e-mail for in camera review, and the Court conducted a telephonic conference on August 19, 2014. At the conference, the Court informed the parties that the e-mail did not appear to be a privileged communication, but it gave ChriMar the opportunity to submit a declaration from Glenn Forbis showing otherwise by August 22, 2014. Dkt. No. 204. ChriMar has now notified the Court that it will not be submitting a declaration from Mr. Forbis. Dkt. No. 212. Accordingly, the Court finds that ChriMar has not met its burden of proving the existence of the privilege, and must therefore produce the e-mail to Defendants.

**IT IS SO ORDERED.**

Dated: August 25, 2014

  
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MARIA-ELENA JAMES  
United States Magistrate Judge